

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

LATAWNYA COWAN,

Plaintiff,

v.

STATE OF CALIFORNIA DEPT. OF  
SOCIAL SERVICES, et al.,

Defendants.

No. 2:25-cv-0697 DJC AC PS

FINDINGS AND RECOMMENDATIONS

Plaintiff is proceeding in this action pro se, and the case was accordingly referred to the undersigned for pretrial matters by E.D. Cal. R. (“Local Rule”) 302(c)(21). On May 5, 2025, the court granted plaintiff’s in forma pauperis (“IFP”) application but rejected the complaint, granting plaintiff 30 days to file an amended complaint. ECF No. 9. Plaintiff was cautioned that failure to do so could lead to a recommendation that the action be dismissed. Plaintiff did not file an amended complaint within the time limit. On June 17, 2025, the court issued an order to show cause by June 26, 2025, why this case should not be dismissed for failure to prosecute. ECF No. 10. Plaintiff has not responded to the court’s orders, nor taken any action to prosecute this case.

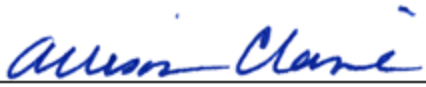
In recommending this action be dismissed for failure to prosecute, the court has considered “(1) the public's interest in expeditious resolution of litigation; (2) the court's need to manage its docket; (3) the risk of prejudice to the defendants; (4) the public policy favoring

1 disposition of cases on their merits; and (5) the availability of less drastic alternatives.” Ferdik v.  
2 Bonzelet, 963 F.2d 1258, 1260-61 (9th Cir. 1992) (citation omitted). Because this case cannot  
3 move forward without plaintiff’s participation, the court finds the factors weigh in favor of  
4 dismissal.

5 Therefore, IT IS HEREBY RECOMMENDED that this action be dismissed, without  
6 prejudice, for lack of prosecution and for failure to comply with the court’s order. See Fed. R.  
7 Civ. P. 41(b); Local Rule 110.

8 These findings and recommendations are submitted to the United States District Judge  
9 assigned to this case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within twenty-one  
10 (21) days after being served with these findings and recommendations, plaintiff may file written  
11 objections with the court. Such document should be captioned “Objections to Magistrate Judge’s  
12 Findings and Recommendations.” Local Rule 304(d). Plaintiff is advised that failure to file  
13 objections within the specified time may waive the right to appeal the District Court’s order.  
14 Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

15 DATED: June 27, 2025

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17 ALLISON CLAIRE  
18 UNITED STATES MAGISTRATE JUDGE  
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